



PTO/SB/25(09-04)

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REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)

05432/100M919-US3

In re Application of: Connie Sanchez et al.Application No.: 10/644,588-Conf. #5265Filed: August 20, 2003For: THE USE OF ENANTIOMERIC PURE ESCITALOPRAM

The owner*, H. Lundbeck A/S, of 100
percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of
any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any
patent granted on pending reference Application Number 10/468,685, filed on June 8, 2004,
as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may
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hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it
and the patent granted on the reference application are commonly owned. This agreement runs with any patent granted on
the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant
application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent
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any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such
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found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR
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1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency,
etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on
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statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United
States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 41,151

[Signature] January 27, 2006
Signature Date

Jay P. Lessler

Typed or printed name

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
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